

REMARKS

The present application contains claims 1-28 and 31-67. Claims 59-67 are new. Claims 29 and 30 are currently cancelled. While claims 4, 12, 14-16, 25, 31-33, 35, 36, 45-52 and 55-58 are withdrawn, applicant submits that the withdrawn claims are all dependent on claims being examined and that they would thus be included in any patent that includes independent claims from which they are dependent. Claims 7, 14, 16, 23, 26, 32, 34, 36, 39, 41, 44, 46 and 49 are currently amended.

A new abstract on a separate page is submitted herewith.

Figs. 9, 10 and 20 are objected to. New drawing pages are submitted herewith to resolve these objections. In addition, new Fig. 12 is submitted to add reference number 1218 and to correct one instance of reference number 1206, which should be 1205.

Claims 7, 24, 26, 34, 40 and 44 are objected to. Claims 7, 23, 26, 34, 39 and 44 have been amended to resolve these objections. Applicant submits that these amendments are substantially to correct typographical errors.

Claims 16-19 stand rejected under 35 U.S.C. §112, second paragraph. Claim 16 has been amended to overcome the rejection. Applicant submits that this change does not represent a substantive amendment to the claim and that the meaning of the claim was clear before the amendment. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 29 and 30 stand rejected under 35 U.S.C. §112, second paragraph. Applicant respectfully traverses the rejection. Claims 29 and 30 are currently cancelled

Claims 1, 2 and 53 stand rejected under 35 U.S.C. §102(b) as being anticipated by DeBell, US 5,847,673. Applicant respectfully traverses the rejection and, in view of the following arguments, submits that DeBell does not provide a *prima facie* case for anticipation. Claims 3, 5, -11, 13, 23, 26-30, 34 and 54 stand rejected under 35 U.S.C. §103(a) as being unpatentable over DeBell alone or in view of various other references. Applicant respectfully traverses these rejections and submits that in view of the deficiencies in DeBell, which are not corrected by the other references, that there is no *prima facie* case of obviousness. In view of the deficiencies in DeBell, the rejections of the dependent claims are not separately argued.

Applicant thanks the Examiner for the courteous interview granted to applicant's representative on November 6, 2006. The following summarizes the substance of the interview.

DeBell, the sole reference on which the claims are rejected, is alleged by the Examiner to teach a non-scanning beam. While DeBell does not specifically state that his beam is a scanning beam, this feature appears to be clear from the fact that the beam size of DeBell is very narrow and that the beam is pointed down and to the side to view a feature on the ground.

A person of the art, reading DeBell would ask how does the beam know where to look for the obstacle. The natural understanding is that the beam was scanned in order to get to detect the obstacle. Only once the obstacle is detected would the method of DeBell be able to be applied, since it requires that the beam be pointed in the general direction of the object. Another way of seeing this is to realize that the present system is a method of terrain mapping and/or obstacle detection for aircraft, using a non scanning beam, which DeBell's could only be if the beam were scanned.

All of the independent claims require that the beam be a non-scanning beam. The dependent claims are patentable for at least the reason that they are dependent on a patentable independent claim.

Three new claims have been added to further define each of the independent claims. Claims 59, 62 and 65 define the beam as being pointed substantially along a front to back axis of the aircraft. This is clearly not the case for DeBell as is evident from the figures and the disclosure.

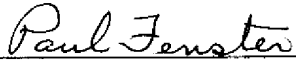
Claims 60, 63 and 66 define the beam as steerable in only a single plane. There is no mention of any such limitation in DeBell, Considering that DeBell is likely scanable in two directions, there would be no reason to limit steering at all in the DeBell device, quite the contrary, since Debell needs to steer widely in two directions so that he can acquire targets with his relatively narrow beam antenna. In the method of claims 60, 63 and 66, the antenna has a wide enough beam so that targets can be captured without steering in two planes.

Claims 61, 64 and 67 define the plane as the horizontal plane with respect to the aircraft.

In view of the above arguments and amendments, applicant submits that the claims are patentable and an action on the merits is respectfully awaited.

Applicant submits that the application is now in order for allowance. Notice to that effect is respectfully solicited. Should the Examiner have any questions or suggestion for advancing the case to allowance, he is respectfully requested to call the undersigned at 1-877 428-5468. This is a direct toll-free number to the undersigned's office in Israel. Israel is 7 hours ahead of Washington.

Respectfully submitted,
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